



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Division of Ecosystem Conservation  
1416 Ninth Street, Suite 1208  
Sacramento, CA 95814  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



June 2, 2016

Brent Wolfe  
Northwest Hydraulic Consultants Inc.  
2600 Capitol Avenue, Suite 140  
Sacramento, CA 95816

Dear Mr. Wolfe:

**SUBJECT: HABITAT RESTORATION OR ENHANCEMENT ACT - REQUEST FOR APPROVAL, REQUEST NO. 1652-2016-006-001-R1  
LOWER DEER CREEK FALLS FISH PASSAGE IMPROVEMENT PROJECT**

The Department of Fish and Wildlife (CDFW) has reviewed your request to approve the Lower Deer Creek Falls Fish Passage Improvement Project (Project), dated April 27, 2016, pursuant to Fish and Game Code section 1652. CDFW has determined that your request includes all the information required in section 1652(b) and the project meets all of the requirements in section 1652(c). Therefore, CDFW hereby approves your habitat restoration or enhancement project.

**Project Location:** The Project is located on Deer Creek at approximately River Mile 42.5, upstream of the confluence of the Sacramento River, in Tehama County. The Project is located approximately 3 miles southwest of the United States Forest Service (USFS) Potato Patch Campground at approximately latitude 40.168496°, longitude -121.582179°.

**Project Description:** The primary purpose of the Project is to improve upstream adult passage for anadromous fish in Deer Creek. The Project includes the restoration of a step pool fish ladder to allow access to upstream habitat. The Project will remediate the limiting factors of reduced spawning and rearing habitat by creating access to additional habitat above Lower Deer Creek Falls. The species likely to benefit from this Project include but are not limited to spring-run Chinook salmon (*Oncorhynchus tshawytscha*) designated as a threatened species pursuant to the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) and a threatened species pursuant to the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), and Central Valley steelhead (*O. mykiss*) designated as a threatened species pursuant to ESA.

The existing fish ladder at the site is not fully functional and will be demolished and removed. A new fishway will be constructed with a longer flow path to provide the necessary hydraulic conditions for successful passage of adult migratory salmonids and other native fish. The new Half Ice Harbor fishway is designed to be operated over a variety of flows and requires only periodic adjustment to ensure that CDFW fish passage criteria are being met. The Project will provide access to an additional 5.24 miles of habitat which will improve salmonid populations in Deer Creek.

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The additional habitat upstream of Lower Deer Creek Falls is an important area for adult holding and spawning. Population monitoring surveys conducted since 1992 by the USFS have identified that up to 31 percent of the spring-run Chinook salmon historically moved above Lower Deer Creek Falls in some years. Additionally, the Project will allow for a decrease in potential stress, injury, and mortality associated with the blockage of upstream migration during low flow events.

The Project will commence on July 1, 2016, and is expected to finalize on November 15, 2016, with a total of 90 working days. Monitoring will be completed by November 15, 2017.

**Monitoring and Reporting:** You are responsible for meeting the monitoring and reporting requirements in section 1652. These include providing CDFW: (1) a notice of completion, no later than 30 days after the Project has been completed and in the manner prescribed by section 1652(e); and (2) a monitoring report that describes whether the Project is meeting each of the restoration goals stated in your request for habitat restoration or enhancement approval, as prescribed by section 1652(f).

This approval is in lieu of all CDFW permits and approvals that otherwise would be necessary for your Project, as described in your request. Please note that any material changes to the approved Project will require a separate approval. You are also responsible to obtain any other necessary approvals from local, state, or federal agencies.

If you have any questions or require further assistance, please contact Michael Harris, Senior Environmental Scientist, at (530) 225-2306 or by email at [Michael.r.harris@wildlife.ca.gov](mailto:Michael.r.harris@wildlife.ca.gov).

Sincerely,



Sandra Morey, Deputy Director  
Ecosystem Conservation Division

Enclosure

cc: California Department of Fish and Wildlife

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